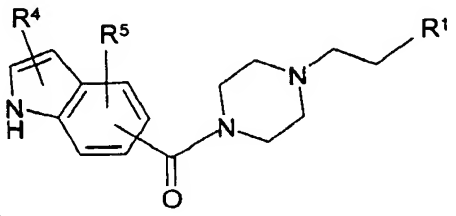
This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) ~~Compounds~~ A compound of the formula I



I

in which

R^1	is a phenyl or naphthyl radical, each of which is unsubstituted or substituted by R^2 and/or R^3, or is Het^1,
R^2 and R^3	are each, independently of one another, Hal, A, OA, OH or CN,
R^4	is H, CN, acyl having 1-6 C atoms, Hal, A, OA, OH, $CONH_2$, CONHA or $CONA_2$,
R^5	is H,
R^4 and R^5	together are alternatively alkylene having 3-5 carbon atoms,
Het^1	is a monocyclic ~~or bicyclic~~ unsaturated heterocyclic ring system which is unsubstituted or monosubstituted or disubstituted by Hal, A, OA or OH and which contains one, two or three identical or different heteroatoms, ~~such as~~ selected from nitrogen, oxygen and sulfur,
A	is alkyl having 1-6 carbon atoms,
Hal	is F, Cl, Br or I,

and where the indole ring may ~~also~~ be replaced by an isatin unit, ~~and~~ or a physiologically acceptable salts ~~and~~ or solvates thereof,

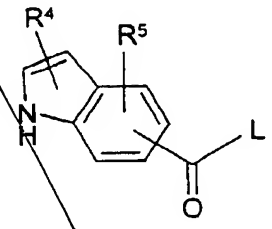
with the proviso that said compound is not ~~where~~ (1*H*-indol-5-yl)-(4-phenethylpiperazin-

1-yl)methanone ~~and 1-((5-methoxy-1*H*-indol-7-yl)carbonyl)-4-(2-phenylethyl)piperazine are excluded~~.

~~2.~~ 23 (Currently Amended): A process ~~Process~~ for the preparation of a compounds ~~of the formula I~~ according to Claim 1, ~~where (1*H*-indol-5-yl)(4-phenethylpiperazin-1-yl)methanone and 1-((5-methoxy-1*H*-indol-7-yl)carbonyl)-4-(2-phenylethyl)piperazine are excluded, characterised in that~~ comprising:

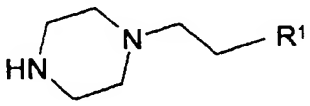
Sub 01

a) reacting a compound of ~~the~~ formula II



II

in which L is Cl, Br, I or a free or reactively functionally modified OH group,
~~and R^4 and R^5 are as defined in Claim 1,~~
~~is reacted~~ with a compound of ~~the~~ formula III

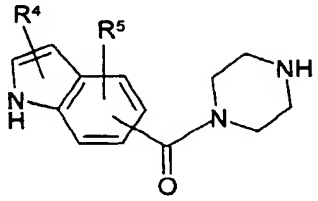


III

~~in which R^1 is defined in Claim 1,~~

or

b) reacting a compound of ~~the~~ formula IV



IV

33

~~in which R^4 and R^5 are as defined in Claim 1,~~

~~is reacted~~ with a compound of ~~the~~ formula V

$$L\text{-}CH_2\text{-}CH_2\text{-}R^1 \qquad V$$

in which L is Cl, Br, I or a free or reactively functionally modified OH group, ~~and R^1 is as defined in Claim 1,~~

or

c) ~~if desired,~~ one of the radicals R^1, R^4 and/or R^5 of a compound of claim 1 is converted into another radical R^1, R^4 and/or R^5 by~~, for example,~~ cleaving an OA group to form an OH group and/or ~~converting~~ a CHO group is converted into a CN group,

and/or

d) a ~~resultant~~ base ~~of~~ compound of claim 1 ~~the formula I~~ is converted into one of its salts by treatment with an acid,

and/or

e) a compound of claim 1 is converted into one of its solvates by dissolution in a solvent.

3. (Cancelled):

4. (Cancelled):

~~5.~~ (Currently Amended): ~~Medicament according to Claim 4 for the treatment of psychoses~~ A method for treating psychosis, schizophrenia, depression, a neurological disorders, a memory disorders, Parkinson's disease, amyotrophic lateral sclerosis, Alzheimer's disease, Huntington's disease, an eating disorders ~~such as,~~ bulimia, nervous anorexia, premenstrual syndrome and/or for positively influencing obsessive-compulsive disorder

(OCD), comprising administering to a patient in need thereof an effective amount of a compound according to claim 1.

24 (Currently Amended): ~~Pharmaceutical preparation~~ A pharmaceutical composition comprising at least one compound ~~medicament~~ according to Claim ~~5~~ 1, and~~, if desired, excipients and/or assistants and, if desired, other active ingredients~~ a carrier.

26 (Currently Amended): ~~Use of~~ A method of preparing a medicament having a 5-HT_{2A} receptor antagonistic action comprising combining a compounds according to Claim 1 with a carrier ~~and/or of a physiologically acceptable salts and or solvates thereof for the preparation of a medicament having 5-HT_{2A} receptor antagonistic action~~.

Sub D1

8. (Cancelled):

2 (New): A compound according to claim 1, wherein said compound is in the form of a hydrate or an alcoholate.

3 (New): A compound according to claim 1, wherein R^4 is H, CN, formyl, acetyl, propionyl, butyryl, trifluoroacetyl, Hal, A, OA, OH, $CONH_2$, CONHA or $CONA_2$.

4 (New): A compound according to claim 1, wherein R^1 is phenyl, p-chlorophenyl, p-fluorophenyl, thiophen-2-yl, 5-chlorothiophen-2-yl, 2,5-dichlorothiophen-3-yl and 2- or 3-furyl.

5 (New): A compound according to claim 1, wherein R^4 and R^5 are, in each case independently, H, Hal, alkyl having 1-6 C atoms, alkoxy having 1-6 C atoms, hydroxyl, cyano or acyl having 1-6 C atoms.

6 (New): A compound according to claim 1, wherein R^4 is H, Hal, A, OA,

OH, CN or acyl having 1-6 C atoms.

17. (New): A compound according to claim 1, wherein R^5 is H.

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18. (New): A compound according to claim 2, wherein R^5 is H.

19. (New): A compound according to claim 1, wherein the R^1-CH_2-CH_2-piperazinecarbonyl radical substitutes the 4-, 5-, 6- or 7-position of the indole ring.

Sub D1

20. (New): A compound according to claim 1, wherein R^1 is a phenyl radical which is unsubstituted or substituted by R^2 and/or R^3.

21. (New): A compound according to claim 2, wherein R^1 is a phenyl radical which is unsubstituted or substituted by R^2 and/or R^3.

22. (New): A compound according to claim 1, wherein R^1 is phenyl.

23. (New): A compound according to claim 1, wherein R^1 is phenyl which is unsubstituted or monosubstituted by Hal.

24. (New): A compound according to claim 1, wherein R^1 is phenyl which is monosubstituted by Hal or Het^1.

25. (New): A compound according to claim 1, wherein R^1 is phenyl which is unsubstituted or monosubstituted by Hal or Het^1, and Het^1 is an unsaturated heterocyclic ring system which is unsubstituted or mono- or disubstituted by Hal or A and contains one or two identical or different heteroatoms selected from nitrogen, oxygen and sulphur.

C

23. (New): A compound according to claim 1, wherein R^1 is phenyl which is unsubstituted or monosubstituted by Hal or Het^1, R^4 and R^5 in each case independently of one another are H, Hal or A, and Het^1 is an unsaturated heterocyclic ring system which is unsubstituted or mono- or disubstituted by Hal or A and contains one or two identical or different heteroatoms selected from nitrogen, oxygen and sulphur.

24. (New): A compound according to claim 1, wherein R^1 is phenyl which is unsubstituted or monosubstituted by Hal or Het^1, R^4 and R^5 in each case independently of one another are H, Hal or A, or R^4 and R^5 together are alkylene having 3-5 C atoms, and Het^1 is thienyl or furyl which is unsubstituted or mono- or disubstituted by Hal or A.

25. (New): A compound according to claim 1, wherein R^1 is phenyl which is unsubstituted or monosubstituted by Hal or Het^1, R^4 is H, Hal, CN, acyl having 1 to 6 C atoms or A, R^5 is H, or R^4 and R^5 together are alkylene having 3-5 C atoms, and Het^1 is thienyl or furyl which is unsubstituted or mono- or disubstituted by Hal or A.

26. (New): A compound according to claim 1, wherein R^1 is phenyl which is unsubstituted or monosubstituted by Hal or Het^1, R^4 is H, Hal, CN, acyl having 1 to 6 C atoms or A, R^5 is H, or R^4 and R^5 together are alkylene having 3-5 C atoms, and Het^1 is thienyl or furyl which is unsubstituted or mono- or disubstituted by Hal or A, wherein the indole ring is optionally replaced by an isatin ring.

27. (New): A compound according to claim 1, wherein said compound is:

(a) (3-cyano-1*H*-indol-7-yl)[4-(4-fluorophenethyl)piperazin-1-yl]-methanone or a physiologically acceptable salt or solvate thereof, or

(b) 3-aminocarbonyl-1*H*-indol-7-yl)[4-(4-fluorophenethyl)piperazin-1-yl]-methanone or a physiologically acceptable salt or solvate thereof.

~~28~~ 21. (New): A compound according to claim ~~27~~ 20, wherein said compound is in the form of a hydrate or an alcoholate.

~~29~~ 28. A method for treating psychosis, schizophrenia, depression, a neurological disorder, a memory disorder, Parkinson's disease, amyotrophic lateral sclerosis, Alzheimer's disease, Huntington's disease, an eating disorder, bulimia, nervous anorexia, premenstrual syndrome and/or for positively influencing obsessive-compulsive disorder (OCD), comprising administering to a patient in need thereof an effective amount of a compound according to claim ~~27~~ 20.

~~30~~ 25. (New): A pharmaceutical composition comprising at least one compound according to Claim ~~27~~ 20 and a carrier.

~~31~~ 29. (New): A method for treating psychosis, schizophrenia, depression, a neurological disorder, a memory disorder, Parkinson's disease, amyotrophic lateral sclerosis, Alzheimer's disease, Huntington's disease, an eating disorder, bulimia, nervous anorexia, a sleep disorder, sleep apnoea, premenstrual syndrome, prophylaxis and combating of the consequences of cerebral infraction, strokes, and cerebral ischaemia, and/or for positively influencing obsessive-compulsive disorder, comprising administering to a patient in need thereof an effective amount of a compound according to claim 1.

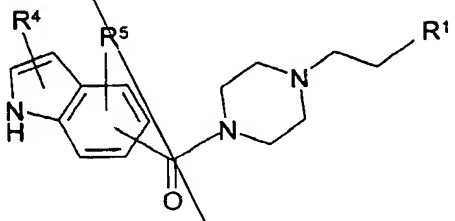
~~32~~ 30. (New): A method for treating psychosis, schizophrenia, depression, a neurological disorder, a memory disorder, Parkinson's disease, amyotrophic lateral

sclerosis, Alzheimer's disease, Huntington's disease, an eating disorder, bulimia, nervous anorexia, a sleep disorder, sleep apnoea, premenstrual syndrome, prophylaxis and combating of the consequences of cerebral infraction, strokes, and cerebral ischaemia, and/or for positively influencing obsessive-compulsive disorder, comprising administering to a patient in need thereof an effective amount of a compound according to claim 20.

31. (New): A method for treating a sleep disorder comprising administering to a patient in need thereof an effective amount of a compound according to claim 1.

32. (New): A method for treating a sleep disorder comprising administering to a patient in need thereof an effective amount of a compound according to claim 20.

22. (New) A compound of the formula I



I

in which

R^1	is a phenyl or naphthyl radical, each of which is unsubstituted or substituted by R^2 and/or R^3, or is Het^1,
R^2 and R^3	are each, independently of one another, Hal, A, OA, OH or CN,
R^4	is H, CN, acyl having 1-6 C atoms, Hal, A, OA, OH, $CONH_2$, CONHA or $CONA_2$,
R^5	is H,
R^4 and R^5	together are alternatively alkylene having 3-5 carbon atoms,
Het1	is 2- or 3-furyl, 2- or 3-thienyl, 1-, 2- or 3-pyrrolyl, 1-, 2-, 4- or 5-

imidazolyl, 1-, 3-, 4- or 5-pyrazolyl, 2-, 4- or 5-oxazolyl, 3-, 4- or 5-isoxazolyl, 2-, 4- or 5-thiazolyl, 3-, 4- or 5-isothiazolyl, 2-, 3- or 4-pyridyl, 2-, 4-, 5- or 6-pyrimidinyl, furthermore preferably 1,2,3-triazol-1-, -4- or –5-yl, 1,2,4-triazol-1-, -3- or -5-yl, 1- or 5-tetrazolyl, 1,2,3-oxadiazol-4- or –5-yl, 1,2,4-oxadiazol-3- or –5-yl, 1,3,4-thiadiazol-2- or -5-yl, 1,2,4-thiadiazol-3- or –5-yl, 1,2,3-thiadiazol-4- or –5-yl, 2-, 3-, 4-, 5- or 6-2H-thiopyranyl, 2-, 3- or 4H-thiopyranyl, 3- or 4-pyridazinyl, pyrazinyl, 2-, 3-, 4-, 5-, 6- or 7-benzofuryl, 2-, 3-, 4-, 5-, 6- or 7-benzothienyl, 1-, 2-, 3-, 4-, 5-, 6- or 7-indolyl, 1-, 2-, 4- or 5-benzimidazolyl, 1-, 3-, 4-, 5-, 6 or 7-benzopyrazolyl, 2-, 4-, 5-, 6- or 7-benzoxazolyl, 3-, 4-, 5-, 6- or 7-benzisoxazolyl, 2-, 4-, 5-, 6- or 7-benzthiazolyl, 2-, 4-, 5-, 6- or 7-benzisothiazolyl, 4-, 5-, 6- or 7-benzo-2,1,3-oxadiazolyl, 2-, 3-, 4-, 5-, 6-, 7- or 8-quinolyl, 1-, 3-, 4-, 5-, 6-, 7- or 8-isoquinolyl, 3-, 4-, 5-, 6-, 7- or 8-cinnolinyl, 2-, 4-, 5-, 6-, 7- or 8-quinazolinyl,

A is alkyl having 1-6 carbon atoms,

Hal is F, Cl, Br or I,

and where the indole ring may be replaced by an isatin unit, or

a physiologically acceptable salt or solvate thereof,

with the proviso that said compound is not (1*H*-indol-5-yl)-(4-phenethylpiperazin-1-yl)methanone.